



1-29-04

PATENT  
Docket No. 416272003700

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*Vicki L. Henry*  
Vicki L Henry

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mark K. HELLERSTEIN

Serial No.: 10/664,513

Filing Date: 09/16/2003

For: BIOCHEMICAL METHODS FOR  
MEASURING METABOLIC  
FITNESS OF TISSUES OR WHOLE  
ORGANISMS

Examiner: To Be Assigned

Group Art Unit: 1645

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record. A paper copy of the pending U.S. Patent Application marked with an asterisk (\*) is not provided.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **416272003700**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

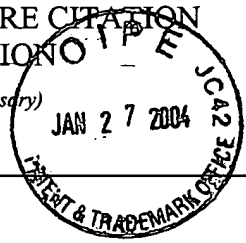
Dated: January 27, 2004

Respectfully submitted,

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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number 416272003700	Application Number 10/664,513
	Applicant Marc K. HELLERSTEIN	
	Filing Date 09/16/2003	Group Art Unit 1645
	Mailing Date January 27, 2004	



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	08/16/1994	5,338,686	Hellerstein			
	2.	06/08/1999	5,910,403	Hellerstein			
	3.	01/04/2000	6,010,846	Hellerstein			
	4.	10/08/2002	6,461,806	Hellerstein			
	5.	05/24/2002	20030068634 A1	Hellerstein			
	6.	10/23/2002	20030133871 A1	Hellerstein			
	7.	04/04/2003	20030224420 A1	Hellerstein			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	8.	11/19/1998	WO 98/51820	WIPO			

## OTHER DOCUMENTS

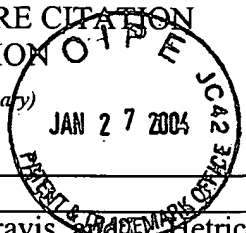
(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

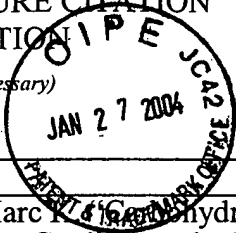
<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Docket Number 416272003700	Application Number 10/664,513
<div style="text-align: center;">  </div>		Applicant  <div style="text-align: center;">Marc K. HELLERSTEIN</div>	
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		Mailing Date January 27, 2004	
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Form PTO-1449  <b>INFORMATION DISCLOSURE CITATIONS</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Docket Number 416272003700  Applicant <div style="text-align: center;">Marc K. HELLERSTEIN</div>	Application Number 10/664,513  Filing Date 09/16/2003 Group Art Unit 1645  Mailing Date January 27, 2004
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64.	Bandsma, Robert H. J. et al.	"Contribution of Newly Synthesized Cholesterol to Rat Plasma and Bile Determined by Mass Isotopomer distribution Analysis: Bile-Salt Flux Promotes Secretion of Newly Synthesized Cholesterol into Bile." <i>Biochem. J.</i> 329: 699-703, 1998.
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69.	Fagerquist, Clifton K. et al.	"Molecular Ion Fragmentation and Its Effects on Mass Isotopomer Abundance of Fatty Acid Methyl Estes Ionized By Electron Impact." <i>J. Am. Soc. Mass. Spectrom</i> 10: 430-439, 1999.
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74.	Hellerstein, Marc K. et al.	"Effects of Cigarette Smoking and its Cessation on Lipid Metabolism and Energy Expenditure in Heavy Smokers." <i>J. Clin. Invest.</i> 93: 265-272, 1994.
75.	Winett, Richard et al.	"Exercise Regimens for Men With HIV." <i>Letters</i> . pp 175-181 & 2999
76.	Bandsma, Robert H. J. et al.	"The Contribution of Newly Synthesized Cholesterol to Bile Salt Synthesis in Rats Quantified By Mass Isotopomer Distribution Analysis." <i>Biochimica et Biophysica Acta</i> 1483: 343-351, 2000.
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78.	Hellerstein, Marc K. et al.	"Directly Measured Kinetics of Circulating T Lymphocytes in Normal and HIV-1-Infected Humans." <i>Nature Medicine</i> , 5, No. 1: 83-89, 1999.
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	81.	Misell, L. et al. "A New Stable Isotope Method for Measuring Mammary Epithelial Cell Proliferation." <i>Faseb Journal Experimental Biology</i> 2000 14(4): Meeting Abstract 550.5: pp A786.
	82.	Scott M. Turner et al. "Measurement of Triglyceride (TG) Synthesis in vivo $^2\text{H}_2\text{O}$ Incorporation into TG-Glycerol and Application of Mass Isotopomer Distribution Analysis (MIDA)." <i>Experimental Biology</i> 2002, 16: Meeting Abstract 361.9: pp A400.
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	86.	Steven N. Blair, et al. "Changes in Physical Fitness and All-Cause Mortality: A Prospective Study of Healthy and Unhealthy Men." <i>JAMA</i> , 273, No. 14: 1093-1098, (1995).
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